

BEFORE THE PERSONNEL APPEALS BOARD

STATE OF WASHINGTON

ANTHONY WALKER,

Appellant,

v.

DEPARTMENT OF CORRECTIONS,

Respondent.

Case No. ALLO-02-0013

ORDER OF THE BOARD FOLLOWING  
HEARING ON EXCEPTIONS TO THE  
DETERMINATION OF THE DIRECTOR

**Hearing on Exceptions.** This appeal came on for hearing before the Personnel Appeals Board, WALTER T. HUBBARD, Chair, and GERALD L. MORGEN, Vice Chair, on Appellant's exceptions to the director's determination dated May 2, 2002. The hearing was held at the Office of the Attorney General in Spokane, Washington, on March 11, 2003.

**Appearances.** Appellant Anthony Walker was present and appeared *pro se*. John Whitehead, Human Resource Manager, represented Respondent Department of Corrections.

**Background.** Appellant submitted a Classification Questionnaire signed September 27, 2001 as part of a class study encompassing accounting and other fiscal classes. On January 1, 2002, the Personnel Resources Board adopted a new class series of Financial Analysts 1-5. On January 2, 2002, John Whitehead, Human Resources Consultant for the Department of Corrections notified Appellant that his position as an Accountant 3 had been allocated to the Financial Analyst 4 classification. On January 23, 2002, Appellant filed for a review to the Director of Personnel asserting that his position should have been allocated to the Financial Analyst (FA) 5 classification.

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2 On March 25, 2002, Karl Nagel, Director's Designee, conducted a position review. By letter dated  
3 May 2, 2002, Mr. Nagel informed Appellant that his position was properly allocated to the Fiscal  
4 Analyst 4 classification. Mr. Nagel's decision was based on his conclusion that Appellant did not  
5 have the necessary written designation required by the class specification to perform at the Fiscal  
6 Analyst 5 level.

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8 On May 31, 2002, Appellant filed exceptions with the Personnel Appeals Board to the  
9 determination of the Department of Personnel.

10  
11 Appellant supervises six financial employees in the Local Funds Department for the Northeast  
12 Region Business Services Center at Airway Heights Corrections Center (AHCC). Appellant's  
13 immediate supervisor is Henry Browne, Local Business Advisor. Mr. Brown reports directly to  
14 Patrice LaFrance, the Northeast Regional Business Manager. In addition to his supervisory  
15 responsibilities, Appellant reviews all disbursement forms for five local funds (inmate store fund,  
16 vocation education fund, inmate welfare fund, service account for AHCC, and two resident trust  
17 funds for the NE Region). Appellant analyzes monthly financial reports and budgets, and he  
18 prepares the annual Welfare Fund budget and monthly reports for management

19 **Summary of Appellant's Argument.** Appellant asserts that the director's designee erred by not  
20 finding that his CQ expressly designates him as the primary assistant to a Fiscal Manager.  
21 Appellant acknowledges that he does not have a letter from the appointing authority designating  
22 him in writing as the financial officer for their agency. However, Appellant asserts that it is unfair  
23 to deny him reallocation to the higher class because he lacks this letter, especially in light of his  
24 CQ, which clearly states that he is the Principal Assistant to the Local Business Advisor at Airway  
25 Heights Corrections Center. Appellant also contends that the essential functions form for his  
26

1 position supports that he serves as “principal assistant.” Appellant argues that it is unfair that he  
2 performs work at the Financial Analyst 5 level and is only compensated at the 4 level simply  
3 because the appointing authority refused to sign a letter to that effect.

4  
5 **Summary of Respondent’s Argument.** Respondent acknowledges that Appellant performs many  
6 of the duties found under the typical work statements for the Financial Analyst 5. However,  
7 Respondent asserts that Appellant’s position was correctly allocated based on the majority of the  
8 work he performs, which fits under the definition for the class of Financial Analyst 4. Respondent  
9 asserts that the distinguishing characteristics of a Financial Analyst 5 require designation in writing  
10 by the appointing authority, who has not provided that written designation. Respondent argues that  
11 in the absence of such written designation, Appellant’s position cannot be allocated to the Financial  
12 Analyst 5 level.

13  
14 **Primary Issue.** Whether the director’s determination that Appellant’s position is properly allocated  
15 to the Financial Analyst 4 classification should be affirmed.

16  
17 **Relevant Classifications.** Financial Analyst 4, Class Code 12108; and Financial Analyst 5, Class  
18 Code 12109.

19  
20 **Decision of the Board.** The purpose of a position review is to determine which classification best  
21 describes the overall duties and responsibilities of a position. A position review is a comparison of  
22 the duties and responsibilities of a particular position to the available classification specifications.  
23 This review results in a determination of the class which best describes the overall duties and  
24 responsibilities of the position. Liddle-Stamper v. Washington State University, PAB Case No.  
25 3722-A2 (1994).

1 Appellant is the incumbent in position #2296. Appellant's approved CQ reflects that his primary  
2 function (50 percent of his time) is to act as a first-line supervisor for two professional-level  
3 accountants and four fiscal technicians. The CQ also reflects that Appellant spends 35 percent of  
4 his work time assisting "the Local Business Advisor in interpreting financial reports and making  
5 financial decisions."

6  
7 To make an appropriate allocation determination, the duties of a position must first meet the  
8 definition of the specification for the class. Under the definition for the Financial Analyst 5 class  
9 specification, the position must:

- 10 1. Act as the Chief Financial Accountant for a state agency; or
- 11 2. Service as the Principal Assistant or Primary Financial Advisor to a Fiscal
- 12 Manager in Washington Management or Exempt Services; or
- 13 3. Function as a second line Financial Supervisor; or
- 14 4. Function as the highest agency and statewide technical expert in a financial  
15 specialty area of budgeting or accounting.

16 Appellant argues that he meets the second of the four options. Appellant specifically asserts that he  
17 serves as a "Principal Assistant or Primary Financial Advisor" to a fiscal manager in Washington  
18 Management or Exempt Service.

19 However, under the distinguishing characteristics of the FA 5 specification, the appointing authority  
20 must designate the incumbent, in writing, to be classified as a "Principal Assistant or Primary  
21 Financial Advisor." The appointing authority here has not provided that written designation to  
22 Appellant's position.

23  
24 Consistent with our decisions in Griffith v. Dep't of Ecology, PAB Case No. ALLO-00-0016  
25 (2000) and Stash v. Dep't of Ecology, PAB Case No. ALLO-00-0001 (1999), when a classification  
26 specification requires written designation, we must look for a document that confers such a

1 designation upon the position in question. This written documentation can be a formal agency  
2 designation form, an approved CQ, or other written documentation.

3  
4 Appellant recognizes that the appointing authority here has not conferred the necessary written  
5 document for allocation to the FA 5. However, Appellant argues that the essential functions form  
6 that is a part of his position supports he should be reallocated to the FA 5 level.

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8 The essential functions form for position #2296 is signed by Appellant's supervisor, Mr. Howard,  
9 and indicates that the incumbent "serves as the principal assistant to the Local Business Advisor-  
10 AHCC assisting with the analytical and financial responsibilities associated with a \$40M annual  
11 budget for a major institution."

12  
13 An essential functions form is a document used by an employer to described the fundamental and  
14 essential duties that must be performed by the incumbent of a position, with or without  
15 accommodation. All duties assigned to a position and listed on the CQ may not necessarily be  
16 "essential" functions. The question here is whether the essential functions form, under these  
17 circumstances, can be used as a document that confers written designation for the Appellant to be  
18 classified at the FA 5 level.

19  
20 After reviewing the essential functions form for position #2296, we disagree with Appellant's  
21 assertion that the document confers the "written designation" necessary to reallocate his position to  
22 the level of Fiscal Analyst 5.

23  
24 Even if we accept the essential functions form as an adequate substitute for "written designation,"  
25 the appointing authority did not sign form. Although approved Appellant's CQ indicates that  
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1 he “assists the Local Business Advisor,” he does not perform in this capacity for a majority of his  
2 work time. Appellant’s primary function is to act as a first-line supervisor.

3  
4 Appellant has failed to meet his burden that he works at the Financial Analyst 5 level or that he  
5 possesses the written designation necessary from the appointing authority. The record supports the  
6 decision made by the director’s designee that Appellant’s position does not meet the definition or  
7 distinguishing characteristics required for the Financial Analyst 5 job class level. The scope of  
8 duties assigned to Appellant’s position are best described by the Financial Analyst 4 classification.

9  
10 **Conclusion.** Appellant’s position is best described by the Financial Analyst 4 classification.  
11 Appellant’s appeal on exceptions should be denied and the director’s determination dated May 2,  
12 2002 should be affirmed.

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14 **ORDER**

15 NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal of Anthony Walker is denied and  
16 the attached director’s determination dated May 2, 2002 is affirmed.

17  
18 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

19 WASHINGTON STATE PERSONNEL APPEALS BOARD

20  
21 \_\_\_\_\_  
22 Walter T. Hubbard, Chair

23 \_\_\_\_\_  
24 Gerald L. Morgen, Vice Chair

25  
26  
Personnel Appeals Board  
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